



**U.S. DEPARTMENT OF TRANSPORTATION**

FEDERAL HIGHWAY ADMINISTRATION

CALIFORNIA DIVISION

980 Ninth Street, Suite 400  
Sacramento, CA. 95814-2724

January 24, 2005

IN REPLY REFER TO

HDA-CA

Document # 46434

Mr. Will Kempton, Director  
California Department of Transportation  
1120 N Street  
Sacramento, California 95814

Attention: Rachel Falsetti, Transportation Programming, MS-82

Dear Mr. Kempton:

SUBJECT: FY 2004/05 FSTIP Amendment No. 1 – Merced County Association of Governments (MCAG)

We have completed our review of Amendment No. 1 to the MCAG's 2004/05-2006/07 Federal Transportation Improvement Program (FTIP) that was submitted by your letter dated January 4, 2005. The MCAG adopted this amendment with Resolution No. 2004/12-16-01 on December 16, 2004, approving these program modifications and reaffirming the conformity of the MCAG FTIP with the applicable State Implementation Plan (SIP) for air quality.

This amendment was requested by the California Department of Transportation (Caltrans) to add a new project in Merced County for the rehabilitation /reconstruction of the Atwater Federal Penitentiary Access Road. The project includes \$1,000,000 in federal funds from the Public Lands Highway program, with no local match requirement.

We accept this amendment in accordance with the provisions of 23 CFR Part 450. We find that this amendment was developed through a continuing, cooperative, and comprehensive transportation planning process carried out in accordance with the provisions of 23 U.S.C. section 134, and section 8 of the Federal Transit Act (49 U.S.C. app. §1607). Based on our review, we find that changes made to the MCAG FTIP by this amendment are exempt from the requirement that a conformity determination be performed. Therefore, we find this FTIP to conform to the applicable State Implementation Plan (SIP).

This finding has been coordinated with the regional office of the Environmental Protection Agency (EPA) and Region IX office of the Federal Transit Administration (FTA) in accordance with the procedures outlined on the Memorandum of Understanding between the Federal Highway Administration, California Division, and the Federal Transit Administration, Region IX dated July 15, 2004, on Roles and Responsibilities for Single Mode Amendments.

This letter also constitutes approval and inclusion of the MCAG's FTIP Amendment No. 1 into California's 2004/05 – 2006/07 Federal Statewide Transportation Improvement Program (FSTIP).

If you have any questions or need further information, please contact Mr. Leigh Levine of the FHWA California Division office at (916) 498-5034.

Sincerely,

*/s/ Mayela Sosa*

For  
Gene K. Fong  
Division Administrator

cc: (e-mail)

Jesse B. Brown, MCAG

Terri Lewis, MCAG

Randy Steen, Caltrans - Federal Resources Branch

Ross A. Chittenden, Caltrans - Transportation Programming

Muhaned Aljabiry, Caltrans - Transportation Programming

Terry Abbott, Caltrans - Office of Local Programs

Rachel Falsetti, Caltrans - Office of Federal Program Management

Karina O'Connor, EPA Region IX

Ted Matley - FTA Region IX

(Other):

MCAG 2004 FTIP Binder

LLevine:jf